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THE DISTRICT COURT.

The term of the District Court of this District, was held on the 18th ult., according to adjournment. There was no business of importance. The following extracts from the charge of Chief Justice Turner will be read with interest, and show that he intends a vigorous enforcement of the laws:

Under the class of misdemeanors will be found in the Code the following offences, to which I invite your attention, namely: "Offences against the public peace and tranquility," "Offences against public morality, health and safety," "Offences committed by cheats, swindlers and other fraudulent persons," and "Fraudulent and malicious mischief."

These are minor offences compared with felonies, and yet it may be said with truth that society suffers more from this class of crimes than from the more heinous, by reason of their more frequent occurrence. "The little foxes spoil the vines." And hence the necessity for a rigid scrutiny into their commission by the grand jury. If these offences are promptly punished, much will be done toward the prevention and suppression of the graver crimes which grow out of the lesser.

Crime like everything else in this world is progressive, and hurries its victim on with fearful rapidity, until it reaches its final goal. The boy who stole a pin ended his career of infamy on the gallows. Had that first little offence been punished, the whole course of his life might have been changed. It is a fearful policy to punish the smaller offences with certainty and promptness. I would also call your attention, gentlemen, to the provisions of chapter 59, on "the prohibition of gambling." This chapter of the Code imposes a tax or license on gaming tables therein named. A violation of the various sections of this chapter is made a misdemeanor, punishable with fine and imprisonment in the county jail until the fine is paid. Gambling is one of the greatest evils with which any community can be afflicted. The greatest sufferer is perhaps the victim of the vice himself, other victims are almost always associated with it, and follow in its train. It seems to be the present policy of our legislation to tolerate the evil by the imposition of a license or tax, thus compelling it to contribute something to the revenue of the Territory.

A mooted point with many great and good men whether the "wages of iniquity" can be made to contribute even to the material prosperity of any community, whether one dollar going into the treasury, does not take out five in the increased expenditure of government for the protection of society from the results of the existence of any evil or vice.

We, gentlemen, however, have nothing to do with the policy of this or kindred laws. It is enough for us to find them on the statute book, our duty is simply faithfully and impartially administer the law as we find it. There is no more demoralizing influence operating on the citizen than law—a dead letter on the statute book.

There are two elements which enter into a crime, first the intent, and second the execution of that intent in an act. To constitute a crime in law there must combine the wrongful intent and the wrongful act. All crime exists primarily in the mind. The law presumes the criminal intent from the wrongful act. The presumption of law is that every person intends to do what he does, and intends the natural, necessary and probable consequences of his act. This presumption of law is open to be rebutted by evidence.

It sometimes happens that a man intends one wrong and unintentionally does another, the intention and the act coincide, and he is punishable for what he does. Therefore if a man becomes voluntarily drunk, there is the wrongful intent, and if he does a wrongful act, the intent to drink coincides with the act done while drunk, and for this he is criminally liable.

It is a doctrine laid down by all law writers that voluntary drunkenness furnishes no excuse for crime. Our jurisprudence deems voluntary drunkenness a *malum in se*, a wrong in itself, and hence its conclusion. Reason and common sense concur in saying that no man can be permitted to take advantage of his own wrong. If it be a wrong to get drunk, then to make it an excuse for a crime, would be taking advantage of and receiving a benefit for his wrong.

It is thought by some that an individual has the right to get drunk, that it is one of those personal and inalienable rights guaranteed by our free institutions to the citizen. No man has a moral or legal right to do wrong. His right to do right is full and complete. In civilized society every man must use his liberty so as not to abuse his neighbors. A different rule prevails among the savages which surround us, of which we have almost daily evidence.

Greenleaf on evidence says, That a man is not permitted to avail himself of the excuse of his own gross vice and misconduct to shelter himself from the legal consequences of such crime.

This same legal author concurs with Bishop on criminal law heretofore cited, that "it is a settled principle that drunkenness is not an excuse for a criminal act, committed while in a state of intoxication and being its immediate result."

I am happy to know that this rule of common law, that "Drunkenness shall not be an excuse for any crime," was incorporated into the Criminal Code of Arizona, by its first Legislature.

relative Assembly. It indicates clearly that its members were men of high toned morality and intelligence, and had a clear idea of what the interests of the Territory demanded, and I have no doubt they truly reflected the sentiment of the people.

This rule of the criminal law is violated in cases of affrays and quarrels growing out of intoxication, when the parties use deadly weapons intending to murder or wound a particular person, shoot at him, and by accident another individual is wounded or deprived of life. In this and similar cases the person unintentionally wounding or causing death, is guilty the same as if he intended it.

It will be your duty, gentlemen, if any cases are brought to your notice falling within the principle of the criminal law above stated to investigate the same, and if the facts disclosed by such investigation show that the Criminal Code of the Territory of Arizona has been violated, you ought in the faithful and impartial discharge of your duty, refer the case to a trial jury by an indictment, order that the wrong done to society may be atoned for, and the majesty of the law vindicated in the certain punishment of the guilty parties.

Gentlemen, we have passed from under the rule of revolver and bowie-knife, to that of law, order and good government. All acts of violence and wrong doing must be promptly suppressed by the strong arm of government, in certain and efficient enforcement of the laws in order that the transition may be a realized fact, and the citizen feel secure in the protection of government, to person and property.

Violators of law and good order are more deterred by the certainty than the severity of punishment. Let it be understood that all infractions of law will promptly meet with condign punishment, and much will be done toward ridding the Territory of all acts of violence by those pests of society, whose only vocation seems to be a deliberate disregard of the laws of God and man, in degrading, Apache like, on the lives, property and hard earnings of others.

The supremacy of law must be maintained at all hazards; all good citizens will unite to "magnify the law and make it honorable," by respecting the rights of others in the least as well as in the greatest matters—"rendering to all their dues." And they will always look to law for protection of all their rights, both of person and property. In the faithful and impartial administration of justice, and the speedy execution of the laws, is found the security and prosperity of society, and the object of its organization attained.

Government, the agent of society, undertakes to redress all wrongs done to the citizen. Therefore it is that all prosecutions are in the name and by the authority of government. All its power and influence is enlisted in the pursuit of the criminal and his punishment. As the power of government is greater than that of the individual citizen, so is his security greater for the protection of all his rights and the speedy punishment of the aggressor. Then why should any citizen give up the right arm of government for his own puny arm? Why should any one give up the greater for the less protection? Why should any citizen violate his compact with society and attempt to avenge his own wrongs, and thus become himself, guilty of a crime?

When society, through its agent, government, violates its contract with the citizen, and fails to secure that protection which it guarantees, then the individual may be justified in becoming his own protector and defender. This is a dissolution of society, and anarchy and confusion take the place of law and order, the physically weak become a prey to the strong, and might makes right. Another consequence may result from this failure on the part of government, as has been witnessed in this country, vigilance committees taking the place of the regular constituted authorities. "Wickedness in high places," and a "throne of iniquity which frameth mischief by a law," cannot long be tolerated, without dissolving the bonds of society; this is the lesson of history.

The relative importance of the judicial department of government is seen in the fact that it is committed the vast responsibility of the administration of the laws. It is the bulwark of our free institutions, or it may be the sapper and miner of the foundation on which they rest—imperceptibly but surely undermining the corner stone of the temple of justice.

No matter what may be the character of the laws enacted and placed on the statute book by the Legislative department—how much they may be calculated to promote the prosperity and happiness of the people, unless faithfully and impartially enforced by a pure, uncorrupted and incorruptible judiciary—unless equal and exact justice is meted out alike to the high and the low, to the rich and the poor, those beneficent laws might as well not have received the sanction of the other departments of government which passed and approved them.

If judges and jurors, "grand" and "trial" fail in the discharge of their functions, to rise to the standard of honest men, the best system of government ever devised will be a failure, so far as protection to the rights and liberties of the people are concerned. Public virtue and official integrity are not inconsistent with the principles of political economy. But I shall not stop to point out in detail, the influence which the administration and enforcement of the laws by all the departments of government, on the basis of inflexible justice between man and man, would exert in promoting the material prosperity and highest good of the people of this young and promising Territory. It is enough to say that the history of the world shows that material prosperity and happiness advance step by step with the advance of the people, in virtue, intelligence and christian civilization.

WAR BETWEEN SPAIN AND CHILI.—War has broken out between Spain and Chili, in consequence of demands made by the former power, to which Chili would not accede. The Admiral in command of the Spanish fleet in South American waters has proclaimed the blockade of the Chilean ports, giving neutral vessels ten days to clear in. Chili takes up the gauntlet with great spirit. The people subscribe liberally for the support of the government. Letters of marque have been issued by the Chilean government, and there is every prospect of a very lively time in that part of the world.

[BY AUTHORITY.]

LAWS OF ARIZONA,—1865.

ADOPTED BY THE SECOND LEGISLATIVE ASSEMBLY.

AN ACT

To Incorporate the Prescott and Lynx Creek Toll Road Company.

Be it enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. That Herbert Bowers, John J. Backus and James E. McCaffry, and their associates, are hereby constituted and formed into a body politic and corporate with the name and title of the Prescott and Lynx Creek Toll Road Company, and with this name and under this style shall have perpetual succession, sue and be sued, plead and be impleaded, to have and to keep a common seal, acquire, enjoy and transfer either real estate or personal property, and may make or adopt all rules and regulations necessary to carry into effect the objects of this incorporation, not inconsistent with or repugnant to the laws of the United States, or those of this Territory.

§ 2. That said Company is authorized, and allowed the exclusive privilege and power to contract and build a toll road from such point at or near Prescott, as they may deem most practicable, and pursuing the most direct and practicable route from said point to terminate on Lynx Creek, at or near the present location of Bowers and Co's quartz mill, in the county of Yavapai, to construct bridges and grade said road, to keep and maintain facilities for furnishing water to men and animals passing over said road and to do all other things necessary to complete said road, and make the same safe and passable at all times; and may maintain toll gates, at necessary points, and make receive and collect toll or passage money in sums not exceeding the following rates, to wit: For each wagon drawn by two horses, mules or horned cattle, one dollar and fifty cents for the entire length of the road; for each additional span of horses, mules or horned cattle, fifty cents for the entire length of the road; for each carriage or cart drawn by one horse, mule or ox, one dollar for the entire length of the road; for each horse or other animal and rider, twenty-five cents for the entire length of the road; for each pack animal, horse, mule, ass or horned cattle, fifty cents for the entire length of the road; Provided, That for any fractional part of said road, travelled under the provisions of said act an amount of toll proportionate to the above rates shall be charged therefore.

That after the expiration of three years from and after the completion of said road, the Legislature of this Territory shall have the right to modify or change the above rates of toll.

§ 3. That the company shall have the right of way over the public lands along the line of their road, and no person or body corporate shall build or maintain any toll road at any point along the route of said road nearer than one mile of the same on either side of the same. Said company may occupy, purchase and own such amounts of land at different points on the line of said road, and at the terminus of said road as the legitimate business and purpose of maintaining said road may require, not exceeding in all two hundred acres. Said company shall have the right of way over lands of private individuals using therefore one track only not more than fifty feet wide, and if the compensation or damages to be paid therefore cannot be settled by agreement of the parties, the same shall be determined by the Judge of Probate of said Yavapai county upon complaint to him setting forth the facts.

§ 4. That said company shall commence operations on said road on or before the first day of May A. D. 1866, and shall construct and fully complete said road throughout in a manner safe and passable for wagons with their usual freight, on or before the first day of May, A. D. 1867, and said road shall be completed before any tolls shall be collected by said company for travel thereon.

§ 5. No tolls or charges shall be made by said company for travel on any part of said road until said road shall have been examined by a Commissioner to be appointed by the County Commissioners of said county, who are hereby authorized to appoint a disinterested person for such purpose, on receipt of a petition from the company praying therefore, and who shall have reported in writing to said County Commissioners what amount has been expended on said road by said company and what improvements have been made thereon, and whether said company have complied in all respects with the provisions of this act, and if the County Commissioners agree in opinion with said Commissioner that said company has in all respects complied with the provisions of said act, and shall have made a certificate of the fact to said company; and the County Commissioners shall keep all said papers on file in the office of the clerk of said County Commissioners.

§ 6. No tolls or charges shall be collected from any foot passenger, nor for any water or grass used by man or beast travelling thereon.

§ 7. The privileges conceded to said company as heretofore set forth and qualified are and shall be and continue for fifteen years from and after the first day of May, A. D. 1867, and at the expiration of said term, said road shall be relinquished by the said company in good order, to the said county of Yavapai, said company retaining any houses, lands or other improvements not necessarily required in actual passage over said road.

§ 8. If any person shall neglect or refuse to pay the toll authorized by this act for any animal or teams owned or driven by him when demanded by any person authorized to receive the same, he shall be liable for double the amount of toll legally due from him to be collected on complaint, in the name of the company in any court of competent jurisdiction, and the wagon or wagons, animal or animals, owned by him or in his charge, shall be liable to be taken on attachment or execution to satisfy the judgment which may be obtained.

§ 9. That the capital stock of said company shall consist of thirty thousand dollars (\$30,000) to be divided into shares of fifty dollars (\$50.00) each, and each one of said shares shall be considered as personal property, and may be bought and sold, assigned or transferred in such manner and in such place as the stock-holders or a majority of

them may prescribe in their rules and regulations.

§ 10. That the officers of said company shall consist of a President, Secretary and Treasurer, who shall also constitute a board of directors, who shall be stockholders of said company, and shall be elected by the stock-holders of said company, or by a majority of them legally assembled and shall hold their offices for one year from and after their election and until their successors shall be duly elected, and such officers may be removed from office whenever a majority of stockholders present at any legal meeting called for that purpose shall determine that they have been guilty of mismanagement or fraud in the discharge of their duty.

§ 11. The meeting to organize said company under this act shall be held at Prescott on the second Monday in January, A. D. 1866, and a majority of the persons named therein shall constitute a quorum for the transaction of business, and they may make by-laws and transact any other business that may be necessary to organize this corporation.

§ 12. That the rates of toll contained in section two shall be plainly printed and posted in a conspicuous place at each toll gate on the road and be maintained at all times in a legible condition.

§ 13. That all persons exhibiting a certificate from any commissioned officer of the Territory that they are in the Militia service of the Territory, shall be exempt from the payment of tolls on said road.

§ 14. That if at any time after the completion of said road, the said company desire to locate a branch road from the said main road to a given point on Lynx Creek, that the said company be and are hereby empowered to locate said branch road in accordance with the provisions of this act and to charge an amount of toll proportionate to that stated in section two.

§ 15. This Act shall take effect and be in force from and after its passage.

JAMES S. GILES.

Speaker of the House of Representatives.

HENRY A. BIGELOW.

President of the Council.

Approved December 30, 1865.

RICHARD C. MCCORMICK.

A true copy of the original on file in my office.

HENRY W. FLEURY.

Assistant Secretary of the Territory.

AN ACT

Concerning Bonds and Due Bills.

Be it enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. That all bonds, due bills and other instruments of writing not negotiable, hereafter made by any person, body politic or corporate, whereby such person promises or agrees to pay any sum or sums of money, or articles of personal property, or any sum or sums of personal property to be due and payable, and the sum of money or articles of personal property therein mentioned, shall by virtue thereof be due and payable to the person to whom the said bond, bill or other instrument in writing is made.

§ 2. Any such bond, due bill, note or other instrument in writing not negotiable, made payable to any person, shall be made assignable by indorsement thereon under the hand of such person and of his assignee, in the same manner as bills of exchange are, so as to absolutely transfer and vest the property therein in each and every assignee successively.

§ 3. Any assignee to whom such sum of money, or personal property is by such indorsement made payable, or in case of the death of such assignee, his heirs, executors or administrators, may, in his own name, institute and maintain the same kind of action for the recovery thereof, against the person who made and executed any such note, bond, bill or other instrument in writing, or against his heirs, executors or administrators, as might have been maintained against him by the obligee, or payee, in case the same had not been assigned, and in every such action, in which judgment shall be given for the plaintiff, he shall recover his damages and costs of suit as in other cases; Provided, That the maker or obligor shall be allowed to set up in defense to the action of the assignee, any matter which he might have set up to the action of the payee, or obligee, where the same has arisen previous to notice of the assignment, but not otherwise.

§ 4. Every assignor, his heirs, executors or administrators, of every such note, bond, bill or other instrument in writing, shall be liable to the action of the assignee thereof, his executors or administrators, if such assignee shall have used due diligence by the institution and prosecution of a suit against the maker of such note, bond, bill or other instrument in writing, or against his heirs, executors or administrators for the recovery of the money or property due thereon, or damages in lieu thereof; Provided, That if the institution of such suit would have been unavailing, or that the maker had absconded, or left the Territory, where such assigned note, bond, bill or other instrument in writing became due, or within twenty days thereafter, such assignee, his executors or administrators, may recover against the assignor or his heirs executors or administrators, as if due diligence had been used. By due diligence shall be understood the institution of suit within sixty days after the maturity of the obligation.

§ 5. In any action which may hereafter be commenced in any court in the Territory, upon any instruments in writing mentioned in this Act, by the obligee or payee thereof, if any such instruments have been made or entered into without a good and valuable consideration, or if the consideration upon which any of such instruments were made or entered into has wholly or in part failed, it shall be lawful for the defendant, against whom such action shall have been commenced by such obligee or payee, to plead such want of consideration; or that the consideration has wholly or in part failed, and it shall appear that any of the aforesaid instruments were made or entered into without a good and valuable consideration, or that the consideration has wholly failed, the verdict shall be for the defendant; and if it shall appear that the consideration has failed in part, the plaintiff shall recover according to the equity of the case.

§ 6. If any fraud or circumvention be used in obtaining the making or executing of any instruments aforesaid such fraud and circumvention may be pleaded in bar to any action to be brought on any such instrument or obtained, whether such action be brought by the party committing such fraud or circumvention, or any assignee of such instrument.

§ 7. In all cases where any of the before mentioned instruments of writing are for the payment or delivery of personal property, other than money, and no particular place be specified in such instrument of writing for the payment or delivery thereof, it shall be lawful for the maker of any such instrument of writing to tender or cause to be tendered, on the day mentioned in any such instrument, the personal property therein mentioned, at the place where the obligee or payee of any such instrument resides at the time of the execution thereof; Provided, However if such property be too ponderous to be easily moved, or if the obligee or payee of such instrument had not, at the time of the execution of such instrument in writing, a known place of residence in the county where the maker resided, then it shall be lawful to tender such personal property at the place where the maker of such instrument resided at the time of the execution thereof. Any tender made in pursuance of this section shall be equally valid and legal, in case any such instrument of writing shall have been assigned in pursuance of the first section of this Act, as if no such assignment had been made.

§ 8. A legal tender of any such personal property, shall discharge the maker of any such instrument, from all liability thereon; and the property thus tendered is hereby declared to be vested in, and belonging to, the legal holder and owner of any such instrument of writing, and he may maintain an action for the recovery thereof, or for damages, if the possession be subsequently illegally withheld from him; Provided, However if any such property so tendered, shall be of a perishable nature; or shall require feeding, or other sustentation, and the person owning or holding any such instrument of writing, be absent at the time of tendering the same, it shall be lawful for every person making such tender to preserve, feed or otherwise take care of the same; and he shall have a lien on such tendered property, for his reasonable trouble and expense of preserving, feeding and sustaining such property, until payment be made for such trouble and expense.

§ 9. This act shall take effect and be in force from and after its passage.

JAMES S. GILES.
Speaker of the House of Representatives.

HENRY A. BIGELOW.

President of the Council.

Approved December 30, 1865.

RICHARD C. MCCORMICK.

A true copy of the original on file in my office.

HENRY W. FLEURY.

Assistant Secretary of the Territory.

AN ACT

Of Bills of Exchange and Promissory Notes.

Be it enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. All notes made in writing, made and signed by any person, whereby he shall promise to pay to any other person, or to his order or to the order of any other person, or unto the bearer, any sum of money therein mentioned, shall be due and payable as therein expressed, and shall have the same effect and be negotiable in like manner as inland bills of exchange, according to the custom of merchants.

§ 2. Every such note signed by the agent of any person, under a general or special authority, shall bind such person and shall have the same effect and be negotiable as above provided.

§ 3. The word "person," in the last two preceding sections shall be construed to extend to every corporation capable by law of making contracts.

§ 4. The payee and indorsees of every such note payable to them or their order and the holders of every such note payable to bearer, may maintain actions for the sums of money therein mentioned against the makers and indorsees of the same respectively, in like manner as in cases of inland bills of exchange and not otherwise.

§ 5. Such notes made payable to the maker thereof or to the order of a fictitious person, shall, if negotiated by the maker, have the same effect and be of the same validity as against the maker, and all persons having knowledge of the facts as if payable to the bearer.

§ 6. No person within this Territory shall be charged as an acceptor on a bill of exchange unless his acceptance shall be in writing signed by himself or his lawful agent.

§ 7. If such acceptance be written on a paper other than the bill, it shall not bind the acceptor except in favor of a person to whom such acceptance shall have been shown, and who on the faith thereof shall have received the bill for a valuable consideration.

§ 8. An unconditional promise, in writing, to accept a bill before it is drawn, shall be deemed an actual acceptance in favor of any person, who, upon the faith thereof, shall have received the bill for a valuable consideration.

§ 9. Every holder of a bill presenting the same for acceptance may require that the acceptance be written on the bill; a refusal to comply with such request shall be deemed a refusal to accept and the bill may be protested for non-acceptance.

§ 10. The last four sections shall not be construed to impair the rights of any person to whom a promise to accept a bill may have been made, and who on the faith of such promise, shall have drawn or negotiated the bill to recover damages of the party making such promise on his refusal to accept such bill.

§ 11. Every person upon whom a bill of exchange is drawn and to whom the same is delivered for acceptance who shall destroy such bill or refuse within twenty-four hours after such delivery, or within such other period as the holder may allow, to return the bill accepted or non-accepted, to the holder shall be deemed to have accepted the same.

§ 12. The rate of damages to be allowed and paid upon the usual protest for the non-payment of bills of exchange drawn or negotiated within this Territory shall be as follows:—
 1st, If such bill shall have been drawn upon any person or persons in any of the United States or Territories east of the Rocky Mountains fifteen dollars upon the hundred upon the principal sum specified in such bill.
 2d, If such bill shall have been drawn on

any person or persons in any port or place in Europe or any foreign country twenty dollars upon the hundred upon the principal sum specified in such bill.

§ 13. Such damages shall be in lieu of interest, charges of protest and all other charges incurred previous to and at the time of giving notice of non-payment, but the holder of such bill shall be entitled to demand and recover lawful interest upon the aggregate amount of the principal sum specified in such bill and of the damages thereon from the time of which notice of protest for non-payment shall have been given, and payment of such principal sum shall have been demanded.

§ 14. If the contents of such bill be expressed in money of account of the United States the amount due thereon, and the damages herein allowed for the non-payment thereof, shall be ascertained and determined without any reference to the rate of exchange existing between this Territory and the place on which such bill shall have been drawn at the time of the demand of payment or of notice of non-payment.

§ 15. If the contents of such bill be expressed in the money of account or currency of any foreign country then the amount due, exclusive of the damages payable thereon, shall be ascertained and determined by the rate of exchange on the value of such foreign currency at the time of the demand of payment.

§ 16. When a bill of exchange shall be protested for non-acceptance the same rate of damages shall be allowed on the protest for non-acceptance as provided in the last four sections and shall be in lieu of interest, charges of protest, and all other charges incurred previous to and at the time of giving notice of non-acceptance but the holder shall be entitled to recover interest upon the aggregate amount of the principal sum specified in the bill, and of the damages thereon from the time of which notice of protest for non-acceptance shall have been given.

§ 17. The damages allowed by this act shall be recovered only by the holder of the bill who shall have purchased the same or some interest therein for a valuable consideration.

§ 18. In all cases where a notice of acceptance of a bill of exchange, or non-acceptance of a bill of exchange, promissory note or other negotiable instrument, be given by sending the same by mail; it shall be sufficient if such notice be directed to the place or town where the person sought to be charged by such notice resided at the time of the making or endorsing such bill of exchange, promissory note or other negotiable instrument, unless such person at the time of making his signature to such bill, note or other negotiable instrument shall, in addition thereto, specify the post office to which he may require the notice to be addressed.

§ 19. Nothing in this act shall apply to bills of exchange, promissory notes or other negotiable instruments made or drawn before this act takes effect.

§ 20. No presentment for payment of any note, bill of exchange or other negotiable instrument, shall be made on the first day of January, the fourth day of July, the twenty-fifth day of December, commonly called Christmas, or on the first day of the week, called Sunday; three days, commonly called days of grace, shall be allowed, except on eight bills or drafts, and any one of the three days specified in this act coming within the three days of grace shall be counted as one of such days.

§ 21. This act shall take effect and be in force from and after its passage.

JAMES S. GILES.

Speaker of the House of Representatives.

HENRY A. BIGELOW.

President of the Council.

Approved December 30, 1865.

RICHARD C. MCCORMICK.

A true copy of the original on file in my office.

HENRY W. FLEURY.

Assistant Secretary of the Territory.

AN ACT

To empower the County Recorder of Yavapai County to Transcribe certain Records of the Territory of Arizona.

Be it enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. That the County Recorder of the county of Yavapai be and is hereby empowered to transcribe into strong and well bound books, such records as were heretofore made by him, and entered in unsuitable books.

§ 2. The said Recorder shall receive for said service such fees as are allowed by law, to be paid in the same manner as other accounts against said county; Provided, That the amount for transcripts said records shall not exceed in all four hundred dollars.

§ 3. This Act shall take effect and be in force from and after its passage.

JAMES S. GILES.

Speaker of the House of Representatives.

HENRY A. BIGELOW.

President of the Council.

Approved December 30, 1865.

RICHARD C. MCCORMICK.

A true copy of the original on file in my office.

HENRY W. FLEURY.

Assistant Secretary of the Territory.

AN ACT

Amendatory of "An Act incorporating the Castle Dome Railway Company," Approved November 3, 1864.

Be it enacted by the Legislative Assembly of the Territory of Arizona: